

Attorney Docket No.: 911-5.10-2/03FLJ004  
Serial No.: 10/806,076



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First named inventor: Dang, Thang Q.

Serial No.: 10/806,076

Filed: March 22, 2004

Title: DIAPHRAGM MOUNTING METHOD FOR A DIAPHRAGM PUMP

Group Art Unit: 3746

Examiner: TBD

PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT  
(37 C.F.R. 1.102 AND M.P.E.P. 708.02)

Mail Stop Petition  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions to make this application special because of actual infringement.

\*\*\*If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- ☒ Deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

**FACSIMILE**

- ☐ Transmitted by facsimile to the U.S. Patent and Trademark Office.

Date: April 13, 2005

Sue Muro  
Signature  
Sue Muro  
(type or print name of person certifying)

04/18/2005 AWONDAF1 00000049 10806076

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130.00 OP

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I, James A. Retter, Reg. No. 41266, am the practitioner in this case and make the following statements:

(A) There is an infringing device or product actually on the market or method in use;

(B) A rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and, in my opinion, some of the claims are unquestionably infringed; and

(C) I have caused to be made a careful and thorough search of the prior art.

A copy of each of the references deemed most closely related to the subject matter encompassed by the claims has already been made of record.

The fee under 37 CFR 1.17(h) is enclosed. Please charge deposit account number 23-0442 in case of any additional amount due, or to credit any refund.

12 April 2005

Date

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Respectfully submitted,



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